

POLICY ACTIONS IN THE STRUGGLE FOR SOCIAL JUSTICE

by

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changing economic conditions. For example there are families in special circumstances due to high housing cost, debts due to student loans and the like or special family costs such as day care costs or special needs of children with physical and mental handicaps. If all of these factors are considered in determining eligibility, the process can be quite complicated and there is always the question of needing to up- date it due to changes. There is also the problem that there is no incentive to report increased earnings that will lead to a reduction in benefits and may be only temporary. This helps to scapegoat recipients as frauds and cheats and to justify punitive measures such as time limits

Public Assistance for Families and Individuals

Public assistance to families and individuals is a means tested program that stems from the English Poor Law of 1601 that required local parishes to establish programs for aiding all the needy poor that was brought on by the collapse of the feudal system of workers tied to the manor that provided food, housing, and basic economic security. The Poor Law was brought to the U.S, and administered by local governments. Basic aid was given to persons living in their own homes that was called "out-door" relief and in almshouses and poor farms that was called "in-door" relief.. Aid was often given "in-kind" in the form of groceries and clothing or through vouchers to purchase certain items and pay the rent and utility bills.

Much of the struggle for social justice involves a journey from the Poor Law with its meager safety net provisions and with minimum regard for human rights, to what has been called the welfare state that seeks to provide economic security for all not just the poor. In the U.S. this has taken place mostly in two periods of reform. The first occurred during the Great Depression with the passage of the Social Security Act of 1935 that in the name of social justice broke away from the Poor Law. As has been emphasized the Act resulted in a revolutionary change with the use of the social insurances. In the area of means tested public assistance programs it broke away from the locally administered Poor Law by providing federal matching funds on a case basis to needy persons in the categories of aid to families with dependent children and the adult categories of aid to the blind, permanently and totally disabled, and the aged over age 65. The Act stipulated that all aid be "out-door" given to persons in their own homes and be provided in the form of cash. Most importantly it established the concept of a state entitlement by providing that all eligible persons be served trough-out the state The Act set no standards for the amount of aid other than to require that states set up their own standard of need. Those persons that did not fit into the categories consisted mainly of able bodied adults below the age of 65 not caring for minor children, remained as part of the locally administered Poor Law and was called general assistance

The second period was the sixties when the civil rights movement led to the poverty program that produced proposals to make public assistance mainly a federal program that sought to treat poverty and aid to the poor as a national problem and get away from state and local constraints. One major achievement was that the adult categories of aid to the aged, blind and disabled were federalized into what was called Supplementary Security Income (SSI). It established a means tested supplement to Social Security benefits for those whose minimum benefit was not enough to meet basic needs or who had not qualified for benefits in the first place. The program is administered by the Social Security Administration and as with Social Security, the benefit level is federal It

is adjusted annually for the cost of living. In 2008 it was \$637 a month for single persons and \$956 a month for couples. The problem has been that the federal level of benefits has been below what many states had been providing so that they had to supplement them in order to maintain the level of benefits. Because the level of benefits paid out through Social Security benefits is in most cases above that required for eligibility for SSI, the number of beneficiaries has been small in most wealthy states that gives the recipients little political power. It has been possible for some states to reduce the level of SSI supplements simply by refusing to pass through federal cost of living increases and using the increase to reduce the state supplement that reveals the problem that means tested programs face. SSI has been popular as it is associated with a universal social insurance program and relieves the states of some of their welfare costs and hence the level of the federal benefit should probably be increased to provide a decent standard of living. SSI has mainly been helpful to the states in paying for community care for the disabled particularly the retarded and chronic mentally ill who have not worked enough to qualify for Social Security benefits for the disabled. Many of these cases require special supportive living situations such as group homes that states must supplement and it would be helpful if the federal government would increase the SSI grant for these cases.

As has been noted the poverty program produced proposals to federalize means tested public assistance programs for families. There were proposals for a negative income tax that would aid the poor by an income tax refund that would establish a safety net minimum income for families. This led to the proposal of the Nixon administration for the Family Assistance Plan that would have established a national minimum income of \$24,000 for a family of four. As it was proposed by a conservative administration, it looked for a time that this would easily pass. However, the benefit level was too much of an increase for the Southern states and was too little for the Northern industrial states. Also it came at a time of increasing conservatism and backlash against the civil rights movement that was opposed the poverty program so that eventually the Family Assistance Plan was defeated. A similar program was proposed by the Carter administration but in the face of the growing conservatism got nowhere.

At the time many advocates of social justice realized that the Family Assistance Plan probably marked the high water mark of efforts to provide economic security for families. Since then the growing conservatism has been able to curtail the entitlement rights of the Aid to Families with Dependent Children program (AFDC). Originally it was intended as a means of helping widows with children but as life expectancy increased, AFDC became more for the children of divorce and unmarried mothers that greatly lessened its appeal. Also the caseload became disproportionately African-American and Hispanic whose mothers were needed for the growing number of low-paying service jobs. The increasing employment of women made it less acceptable to stay home to care for one's children. This led to efforts to force these mothers to work in what was called the welfare to work program. This led to an emphasis on training programs to make recipients more employable that, as has been emphasized, was based on the concept of equality of opportunity. It only increased competition for jobs, resulted in blaming the victim, and a backlash against the welfare program by those Whites that felt threatened. In the name of welfare reform entitlement rights have been reduced and recipients deprived of a decent standard of living as called for in the Universal Declaration of Human Rights and that can only be viewed as an expression of the politics of human oppression. Entitlement rights

were removed in many ways. One was to establish a family cap on benefits that limited increases when more children were born to discourage mothers from having more children that really amounted to punishing a child from being born and encouraged abortions. It also had racial overtones being targeted to the increasing number of African American mother on assistance who were not married, It is appalling how this has been accepted with little effort to repeal it.

Another development was to establish a flat grant on benefits in most states that varied only for family size. Previously the payment had been based on individual budgeting for families that considered actual rent and utility expenses. The result was that the flat grant was often far too low for the rent that families had to pay and became more so as rents increased faster than the cost of living. The result was that homelessness increased among recipients that were deprived of the right to affordable housing. These developments cumulated in the so called welfare reform legislation of the Clinton administration that the Republicans seized on in an effort to capture White votes. Congress in 1996 passed the Personal Responsibility and Work Opportunity Reconciliation Act that replaced the Aid to Families with Dependent Children program with the Temporary Assistance To Needy Families program (TANF). TANF virtually ended aid to needy families as a federal entitlement program. Federal matching of half or more of individual grants was replaced by federal block grants to the states not related to caseload so states could cut their caseload without losing federal matching funds that most did. The concept of a federal entitlement was abolished as states were no longer required to aid all eligible families. Worst of all a five year limit was placed on the length of time families with employable parents could receive assistance with states being permitted to establish even lower limits without making any provision for providing basic sustenance that had rarely happened under the Poor Law going back colonial times. The TANF program also allowed states to establish sanction against mother who were deem to not making a good faith effort to find a job and provided that recipients convicted of drug use be cut off entirely. TANF. placed pressure on the states to put more mothers to work on work relief and work for relief programs that could be positive depending on how much these mothers are entitled to a grant increase for working.

These oppressive cuts were justified as a means of behavior modification to force recipients to modify their behaviors that were viewed as the reason for their poverty. The poor were seen as immoral deviants who did not try hard enough to become self sufficient, had children out of wedlock and over used drugs and alcohol..Any informed person with an ounce of humanity would know that the poor are victims of the shortage of jobs especially those that provide for a living wage and that illegitimacy and addiction problems are not solved but punitive policies. Much of this also serves to enhance a stereotyped vision of African Americans as basically lazy and immoral.

For many of those concerned with social justice this legislation that deprives innocent children and their families of the human rights really represents the use of the politics of human oppression that enhances the esteem and dominance in groups, in this case mainly White workers, not by raising them up but pushing down an out group, the unemployed minority poor That the main victims are innocent children, most African Americans and Hispanics. draws ones thoughts to the display of the shoes of the children put to death at Auschwitz that was in the same spirit, and that this so called welfare reform legislation with its punitive and oppressive effects on child development and family life along with

obvious racial and ethnic overtones, is among the most infamous legislation ever passed by the national Congress and state legislatures,. Sadly it has enjoyed considerable popular support and there has been little attention to the fact that there is little evidence that those cut off got jobs that took them out of poverty or got jobs that would not have been filled otherwise and hence, failed to reduced overall unemployment.

Naturally the effects of loss of basic human rights has been covered up. In the absence of official research, those who wanted to know were forced to contact these families second hand by locating them among the clients of homeless shelters and in training programs. A study of those cut off was done in Connecticut. Those included were almost totally African-American and Hispanic and most mothers were high school graduates that showed that level of education was not a major factor. It revealed that those that did find jobs found mostly low paying and part-time ones that did not take them out of poverty. The rest who were unemployed got little help from their families or from social service agencies and were struggling with feeding their families. even with food stamps, and with paying their rents. Too many families homeless and others were forced to brake up in order to find housing. The negative effects on schooling and child development were obvious.

A study by the Center On Budget and Policy Priorities of what has happened in the ten years since the passage of TANF suggest that its spirit has been to push most able bodied unemployed off the welfare rolls using time limits, failure to make a full faith effort to find a job or simply discouraging employable applicants from applying. The study notes that TANF was established at a time of relative full employment when it was assumed that most unemployed pushed off the roles could find employment. The study notes that with the turn down in the economy since the 1990's that child poverty has increased significantly as has the number of children living below half the poverty line. It notes that TANF now helps a much smaller share of families that are poor enough to qualify for the program than it used to. .It found that the number of single mothers who are jobless, do not receive TANF, or live with others who work, or receive child support has grown significantly. Program participation has fallen among families poor enough to qualify for state benefits under the previous Aid to Families With Dependent Children program from 80 percent to just 48 percent under TANF in 2002.

Without attention to these effects on human rights, the Personal Responsibilities and Work Opportunities Act has been painted as a success. Hence, there has been limited efforts by social liberals and liberal advocacy groups to turn this around, mostly because the political climate does not support it. Clearly these oppressive cuts in welfare benefits need to be terminated, especially the family cap, time limits for those deemed employable, and for those engaging in what is regarded as immoral behavior none of this should serve as a reason for human oppression especially on innocent children. Further welfare benefits should be sufficient to cover basic human needs. Especially flat grants need to be replaced with payment of actual rents and utility costs, There needs to be also provision for special needs such as special diets or special housing for the handicapped,

Certainly there needs to be consideration of more politically appealing approaches to aiding low income families. One thought is to make more use of fiscal welfare that is popular with conservatives in that it uses income tax credits, deductions, and refunds. From the perspective of equality and uniformity, the best approach would be to adopt a federal negative income tax that would tax incomes above a certain income level and

redistribute it by use a refund to make up the income shortage of those with incomes below that level of income. This raises the question of where to set the level of income below which persons would be entitled to a refund. As efforts to pass the Family Assistance Plan in the Nixon years showed, the vast difference in standards among the states made it difficult to set the point of refund..With the current power of conservative forces a negative income tax now seem far fetched. However, there is a possibility to make more use of fiscal welfare by expanding the federal Earned Income Tax Credit (EITC) program and add to it a state earned income tax credit supplements. EITC serves mainly to supplement low wages to help families to provide for their children. It provides an refundable tax credit to those whose tax credit is less than they owe in income taxes. The program is also a way of relieving employers of responsibility for paying less than a living wage for families with children As was suggested the level of benefit could be extended so that all families would have a level of income further above the poverty line, However EITC helps only the working poor who have low income or part time jobs. One easy way to help all low income families is to make the universal income tax credit provided for all children of \$1,000 annually fully refundable, as it is not now, for those who would qualify for more credit then they paid in taxes.

Often social problems can be solved by changing the definition of the problem.. Hence, as was suggested in the discussion on unemployment programs, it might be helpful to define families with able bodied employable mothers not as poor, but as unemployed. that makes it more difficult to blame the victim if one cannot find a job. This might entail, as was mentioned having a federal-state program built around unemployment compensation that would covers those with low incomes who have exhausted their unemployment benefit time limits and to which states could refer their able bodied employable TANF and general assistance recipients perhaps after a similar time periods.. This would break away from the notion of welfare as such a program should be administered by state labor departments that would put the focus more on employment and manpower development needs. For those who receive benefits for a period there could be programs to give them training or to put them to work on work relief or work for relief projects. Permitting the states to refer their able-bodied TANF and general assistance cases would get them off being dependent on the public assistance programs and reduce its case load and expenditures and, thus make them less of a target for punitive and oppressive blaming the victim policies. Federal matching funds could be provided on a case basis that would make it more of an entitlement as was true before TANF,

Another policy action to help families that has been developed more in other nations, is to develop a national program for collecting child support for children deprived of parental support due to divorce, separation and not being married. Australia has established a national program that sets up a federal child support agency to which all families needing child support can apply and receive an order for child support. The amount of the order is based on the supporting parents ability to pay. The strength of the program is that it does not require a court order as the result of a divorce or separation action and those required by the child support agency to pay support can appeal to the courts if they feel the order is not warranted The order can then be sent to the employer to require them to withhold the support payments from the employee's pay. In Australia the order is sent to the national taxation agency for withholding that covers persons living

in other states. Here in the U.S. this could take the form of federal legislation encouraging states to establish similar child support agencies and make use of the federal Internal Revenue Service to order employers to withhold payments. The strength of this is that it would focus on the need of all children rather than just focusing on reducing the costs of public assistance to the poor. Some European countries provide supplements where child support payments are less than what children should be entitled to that helps to provide more economic security to families. If the U.S. were to establish a national child support collection program that applied to all, not just the poor, there might be a large constituency for adopting this.

There could be other actions that could be considered for providing more income for children. One idea is to establish fatherless child insurance as a part of Old Age, Survivors, and Disability Insurance under Social Security. that would provide benefits in the event of divorce and separation in addition to death of a parent. The problem is that insurance is best suited to cover events that persons do not willfully seek such as death, illness and unemployment and, as divorce is more of a willful action, it could be regarded as a means for increasing divorce, but this is something that could be tried out to see what would happen.

Other programs could be expanded that help provide economic security for families. One that has been suggested would be to include paid sick leave as an insurance benefit perhaps connected with the unemployment insurance. Another possibility is to expand payments of a family allowance for parents in full time education and training programs

A bigger challenge might be to pass a constitutional amendment or legislative actions to provide for the basic human rights of children and their families. In this regard there was an effort in Connecticut to amend the state constitution to establish that all children had the right to basic sustenance. This sought to build on a decision of the State Supreme Court that all children had the right to an equal education and hence there had to be racial integration of the schools. In seeking the children's rights amendment it was pointed out that the right to an equal education was greatly diminished if children didn't first have the right to basic sustenance. The value of a constitutional amendment is that it gets the courts involved in implementing it in addition to the legislature and governor. The amendment was too big a change for most, and some feared that it would be interpreted as anti-abortion. Hence, it required a real organized effort that was not mustered and without which it did not pass the legislature to get on the ballot. Another effort in this direction might be to pass a law giving children the right to sustenance and to authorize a special children's agency to study where children's rights were not being met and make recommendations for legislative action. Most state constitutions provide for the right to an education, but the economic right to basic sustenance has not been something that in a culture based on individual responsibility and on a survival of the fittest competition, has been seen as a constitutional right. Thus one of the challenges in the struggle for social justice would be to include the human right to economic security that is included in the Universal Declaration of Human Rights into federal and state constitutions.

In addition to providing financial assistance, the Universal Declaration of Human Rights calls for the provision of the necessary social services. One vital social service is the provision of day care for the children of working mothers as day care is becoming more costly this calls for the subsidy of day care costs that for which federal and state funds are available. Parents need to be charged a sliding fee based on income. Ideally t

meet the need families should receive a subsidy with incomes below 400 percent of the federal poverty line, The shortage of funds for day care subsidies continues to be a serious problem. In some states grandparents or other relatives can receive payments for providing child care that adds to family income. Other needed social services are subsidized transportation services for parents to get to jobs where there is not sufficient public transportation There also needs to be outreach social services to counsel with families about family problems including financial management and to provide crisis intervention and information and referral services.

Another means of providing basic economic security for individuals and families are the so called "in-kind" programs that provide needed goods and services such as food stamps, affordable housing, and medical care usually by paying the providers directly or providing special subsidies and allotments. These programs will be explored in the sections that follow.

Nutrition Programs

As was pointed out one way of dealing with the opposition to social welfare programs is to provide benefits "in-kind" rather than in cash mostly by paying the providers that puts the focus on social welfare programs as being for the provision of basic human needs such as food, housing, and medical care rather than for consumer sovereignty that allows the recipient to spend his benefit as he sees fit.. As payments go mostly to the providers of the goods and services, not the recipients, this has the further advantage of getting the support of the provider system.

The basic reaction to dealing with poverty has always been to provide food to get away from the horrible image of persons starving to death. Pictures on TV of children suffering from malnutrition in the South stimulated the passage of the federal food stamp program. Many churches like to respond to poverty by operating soup kitchen or food pantries. A lot of these efforts could best be called operating bird feeders as they serve the social dominance needs of the givers by watching those being fed or receiving food to take home, rather than making any significant impact on the nutrition needs of families. It must be emphasized that most charitable actions are as much for the public image of the givers as caring persons as for the benefit of recipients and that charity rarely substitutes for justice.

Social justice objectives are effectively served by federal food stamp program, n which is a federally funded means tested entitlement program This became a federal program with national eligibility requirements partly because it was connected to the national farm surplus program that got started as a means of disposing of surplus commodities. This evolved into a food stamp program that now provides food vouchers to persons with incomes below 130 percent of poverty and hence is really targeted to the poor. The allotment is based on the federal thrifty food budget that is adjusted annually for the cost of living. The thrifty food budget is what is considered as essential for nutritional needs. .In 2008 for a family of three with no other source of income was eligible for a monthly food stamp allotment was \$420 and \$160 for single persons In 2009 the food stamp program was renamed the Supplementary Nutrition Assistance program, (SNAP). The inclusion of the term "supplementary" is interesting as it seems to indicate only an partial entitlement rather than a right to have ones full nutrition needs met that raises human rights